

REMARKS

Claims 1-19 are pending in this application. By this Amendment, claim 1 is amended. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1-19 under 35 U.S.C. §103(a) over U.S. Patent No. 4,409,479 to Sprague et al. in view of U.S. Patent No. 5,889,280 to Matsuura and U.S. Patent No. 4,339,198 to Leuchter, Jr. This rejection is respectfully traversed.

The Office Action asserts that the combination of Sprague and Matsuura discloses or renders obvious the subject matter recited in claims 1-8. The Office Action recognizes that the combination of Sprague and Matsuura does not disclose or suggest a flexible substrate, but asserts that Leuchter discloses this feature, thus renders obvious the subject matter recited in claims 9-19.

Applicant respectfully submit that Sprague and Matsuura, either individually or in combination, do not disclose or suggest a first and second photosensitive device arrays that are arrayed along a first axis, a third and fourth photosensitive device arrays that are arrayed along a second axis, where the first and second photosensitive device arrays and the third and fourth photosensitive device arrays are diagonally arranged, as recited in claims 1-4.

Sprague discloses apertures 15 (15') and 17 (17') that are elongated in different directions. See Figs. 1 and 2, col. 4, lines 3-5 and 39-43. The apertures 15 and 15' are elongated in the same direction, and are arranged adjacent to each other. See Fig. 2, col. 4, lines 39-43. Thus, apertures 15 and 15' are not arrayed to diagonally cross the array of apertures 17 and 17'. Nowhere does Sprague disclose or suggest that the apertures 15 and 15' are arranged diagonally with respect to apertures 17 and 17'. Thus, Sprague does not disclose or suggest a first and second photosensitive device arrays that are arrayed along a first axis, a third and fourth photosensitive device arrays that are arrayed along a second axis, where the

second photosensitive device arrays and the third and fourth photosensitive device arrays are diagonally arranged, as recited in claims 1-4.

Matsuura discloses a photodiode array 3 with each photodiode arranged in the same direction. See Fig. 2 and col. 5, lines 1-2. Matsuura does not disclose or suggest photodiodes of one direction are arranged diagonally with respect to other photodiodes of a different direction. Therefore, Matsuura does not disclose or suggest a first and second photosensitive device arrays that are arranged along a first axis, a third and fourth photosensitive device arrays that are arranged along a second axis, where the first and second photosensitive device arrays and the third and fourth photosensitive device arrays are diagonally arranged, as recited in claims 1-4. Thus, Matsuura does not supply the subject matter lacking in Sprague.

For at least the above reasons, Sprague and Matsuura, either individually or in combination, do not disclose or suggest the subject matter recited in claims 1-4.

Furthermore, Applicant respectfully submits that Sprague and Matsuura, either individually or in combination, do not disclose or suggest a first photosensitive device array, an insulator layer covering the first photosensitive device array, and a second photosensitive device array formed on the insulator layer, as recited in claims 5-8.

Sprague discloses apertures 15 and 17 of different orientations to be arranged at different locations on the surface of a substrate. See Figs. 1 and 2, col. 4, lines 3-5 and 39-43. Sprague does not disclose or suggest that one of the apertures 15 and 17 is formed on the other of the apertures 15 and 17. Therefore, Sprague does not disclose or suggest a first sensitive device array, an insulator layer covering the first photosensitive device array, and a second photosensitive device array formed on the insulator layer, as recited in claims 5-8.

As discussed above, Matsuura disclose a photodiode array 3 in which all photodiodes are arranged in one direction. Matsuura does not disclose or suggest photodiodes of different orientations, or one group of photodiodes formed on another group of photodiodes.

Therefore, Matsuura does not disclose or suggest a first photosensitive device array, an insulator layer covering the first photosensitive device array, and a second photosensitive device array formed on the insulator layer, as recited in claims 5-8. Thus, Matsuura does not supply the subject matter lacking in Sprague.

For at least the above reasons, Sprague and Matsuura, either individually or in combination, do not disclose or suggest the subject matter recited in claims 5-8.

In addition, Applicant respectfully submits that one of ordinary skill in the art would not have been motivated to combine Leuchter with Sprague and Matsuura.

Leuchter discloses a geodetic instrument having a sextant including an index mirror rotatable about a predetermined axis to bring a sighted object into juxtaposition with the line of sight of the optical system of the sextant at the center of the horizontal mirror. See col. 2, lines 23-27. Such a geodetic instrument is not related to a transducer instrument with a scale-sensor structure. One of ordinary skill in the field of transducer would not have looked to a geodetic instrument for improvement. There is no suggestion in Leuchter or Sprague that Leuchter's geodetic instrument could be combined with Sprague's transducer device. Therefore, one of ordinary skill in the art would not have been motivated to combine the teachings of Leuchter with that of Sprague.

The Office Action appears to be engaged in impermissible hind-sight reconstruction by using the present application as a roadmap to pick and choose features out of the prior art. Thus, the Office Action has failed to bear its burden to establish a *prima facie* case of obviousness, because it has failed to show any motivation for combining Leuchter and Sprague.

For at least the above reasons, withdraw of the rejection of claims 1-19 under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gang Luo
Registration No. 50,559

JAO:GXL/sqb

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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